



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
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BEDFORD, MA 01730

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MAR 23 2006

In re Application of : **OFFICE OF PETITIONS**
J. Christopher Flaherty :
Application No. 10/681,688 :
Deposited: October 8, 2003 : **DECISION ON**
For: FLOW CONDITIONS SENSOR ASSEMBLY : **PETITION**
FOR PATIENT INFUSION DEVICE :

This is a decision in response to the Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181, filed January 30, 2006.

The Petition is **dismissed**.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.181." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to timely and properly reply to the Notice of Allowance and Issue Fee Due ("Notice"), mailed July 20, 2005. The Notice set a non-extendable three (3) month period for reply.

Applicant responded with an authorization to charge his deposit account the issue and publication fee; however, the deposit account contained insufficient fee to pay the issue fee. Accordingly, the application became abandoned on October 20, 2005. A Notice of Abandonment was mailed November 29, 2005.

Petition under 37 CFR 1.181

Applicant files the instant petition wherein Applicant avers timely payment of the issue fee. Applicant is advised that the correspondence - issue fee transmittal form and facsimile coversheet - were received in this Office on October 20, 2005h however, Applicant's deposit account contained insufficient funds.

Accordingly, the petition is dismissed.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


Derek L. Woods

Attorney
Office of Petitions